

(ii) For information to be declassified upon occurrence of a specific event:

"DECL: (description of event)"

(iii) For information not to be automatically declassified which requires the originating agency's determination (see also § 2001.5(d)(3)):

"DECL: OADR"

(iv) For information to be automatically downgraded:

"DNG (abbreviation of classification level to which the information is to be downgraded and date or description of event on which downgrading is to occur)"

(4) Portion marking shall be as prescribed in § 2001.5(a)(3);

(5) Special markings as prescribed in § 2001.5(e) (2), (3), and (4) shall appear after the marking for the highest level of classification. These include:

(i) "Restricted Data" and "Formerly Restricted Data" shall be marked in accordance with regulations issued under the Atomic Energy Act of 1954, as amended;

(ii) Information concerning intelligence sources or methods: "WNINTEL," unless proscribed by the Director of Central Intelligence;

(iii) Foreign government information: "FGL" or a marking that otherwise indicates that the information is foreign government information. If the fact that information is foreign government information must be concealed, the marking shall not be used and the message shall be marked as if it were wholly of U.S. origin.

(6) Paper copies of electrically transmitted messages shall be marked as provided in § 2001.5(a) (1) and (2).

(g) *Changes in classification markings [1.4(b) and 4.1(b)].* When a change is made in the duration of classified information, all holders of record shall be promptly notified. If practicable, holders of record shall also be notified of a change in the level of classification. Holders shall alter the markings to conform to the change, citing the authority for it. If the remarking of large quantities of information is unduly burdensome, the holder may attach a change of classification notice to the storage unit in lieu of the marking action otherwise required. Items withdrawn from the collection for purposes other than transfer for storage shall be marked promptly in accordance with the change notice.

§ 2001.6 Limitations on classification [1.8(c)].

Before reclassifying information as provided in section 1.6(c) of the Order, the authorized official shall consider the following factors, which shall be

addressed in the report to the Director of the Information Security Oversight Office:

(a) The elapsed time following disclosure;

(b) The nature and extent of disclosure;

(c) The ability to bring the fact of reclassification to the attention of persons to whom the information was disclosed;

(d) The ability to prevent further disclosure; and

(e) The ability to retrieve the information voluntarily from persons not authorized access in its reclassified state.

Subpart B—Derivative Classification

§ 2001.20 Use of derivative classification [2.1].

The application of derivative classification markings is a responsibility of those who incorporate, paraphrase, restate, or generate in new form information that is already classified, and of those who apply markings in accordance with instructions from an authorized original classifier or in accordance with an authorized classification guide. If a person who applies derivative classification markings believes that the paraphrasing, restating, or summarizing of classified information has changed the level of or removed the basis for classification, that person must consult for a determination an appropriate official of the originating agency or office of origin who has the authority to upgrade, downgrade, or declassify the information.

§ 2001.21 Classification guides.

(a) *General [2.2(a)].* Classification guides shall, at a minimum:

(1) Identify or categorize the elements of information to be protected;

(2) State which classification level applies to each element or category of information; and

(3) Prescribe declassification instructions for each element or category of information in terms of (i) a period of time, (ii) the occurrence of an event, or (iii) a notation that the information shall not be declassified automatically without the approval of the originating agency.

(b) *Requirement for review [2.2(a)].* Classification guides shall be reviewed at least every two years and updated as necessary. Each agency shall maintain a list of its classification guides in current use.

(c) *Waivers [2.2(c)].* An authorized official's decision to waive the requirement to issue classification

guides for specific classes of documents or information should be based, at a minimum, on an evaluation of the following factors:

(1) The ability to segregate and describe the elements of information;

(2) The practicality of producing or disseminating the guide because of the nature of the information;

(3) The anticipated usage of the guide as a basis for derivative classification; and

(4) The availability of alternative sources for derivatively classifying the information in a uniform manner.

§ 2001.22 Derivative Identification and markings [1.5(c) and 2.1(b)].

Documents classified derivatively on the basis of source documents or classification guides shall bear all markings prescribed in § 2001.5(a) through (e) as are applicable. Information for these markings shall be taken from the source document or instructions in the appropriate classification guide.

(a) *Classification authority.* The authority for classification shall be shown as follows:

"CLASSIFIED BY (description of source document or classification guide)"

If a document is classified on the basis of more than one source document or classification guide, the authority for classification shall be shown as follows:

"CLASSIFIED BY MULTIPLE SOURCES"

In these cases the derivative classifier shall maintain the identification of each source with the file or record copy of the derivatively classified document. A document derivatively classified on the basis of a source document that is marked "CLASSIFIED BY MULTIPLE SOURCES" shall cite the source document in its "CLASSIFIED BY" line rather than the term "MULTIPLE SOURCES."

(b) *Declassification and downgrading instructions.* Dates or events for automatic declassification or downgrading, or the notation "ORIGINATING AGENCY'S DETERMINATION REQUIRED" to indicate that the document is not to be declassified automatically, shall be carried forward from the source document, or as directed by a classification guide, and shown on a "DECLASSIFY ON" line as follows:

"DECLASSIFY ON: (date; description of event; or 'ORIGINATING AGENCY'S DETERMINATION REQUIRED' (OADR))"